



City of San Juan Bautista

The "City of History"

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AGENDA

CITY COUNCIL SPECIAL MEETING

TUESDAY ~ JANUARY 17, 2023 ~ 12:00 P.M.

CITY HALL COUNCIL CHAMBERS
311 Second Street
San Juan Bautista, California

- HYBRID MEETING - PUBLIC PARTICIPATION BY ZOOM AND IN PERSON

THIS MEETING WILL BE CONDUCTED PURSUANT TO GOVT. CODE §54953(e)(1)(A).

In order to minimize the spread of the COVID 19 virus the City Council is conducting this meeting by Zoom webinar and will be offering alternative options for public participation. You are encouraged to watch the meeting live on Zoom or Facebook.

THIS MEETING WILL BE OPEN TO THE PUBLIC UNDER THE FOLLOWING CONDITIONS:

All Attendees must comply and wear a face covering if not fully vaccinated and show proof. If providing proof attendees will not need to wear a face covering. If you are exempt from the state face covering guidance or not fully vaccinated, you will be required to wear a mask to attend the meeting; All attendees must comply with any other rules of procedures/instructions announced by the Mayor and/or City Staff. Any violations of the above may result in the Mayor closing the meeting, effective immediately, or clearing the room, as well as other enforcement actions. The meeting will be available through Zoom for those who wish to join or require accommodations with the instructions below:

The meeting can also be accessed by the public in the following methods: Through Zoom (<https://zoom.us/join>) per the instruction stated below, and on Facebook.

Join Zoom Webinar <https://us02web.zoom.us/j/87023777420>

or call 1 (669) 900-6833

Webinar ID: 870 2377 7420

PUBLIC COMMENTS WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. DURING THE MEETING: TO PROVIDE VERBAL PUBLIC COMMENTS ON AN AGENDA ITEM DURING THIS MEETING CALL THE PHONE NUMBER LISTED ABOVE OR LOG INTO ZOOM AND ENTER THE MEETING ID NUMBER AS LISTED ABOVE.

When the Mayor announces public comment is open for the item which you wish to speak, press *9 on your telephone keypad or if joining by Zoom, use the raise your hand icon. When called to speak, please limit your comments to three (3) minutes, or such other time as the Mayor may decide, consistent with the time limit for all other speakers for the particular agenda item. Comments from other platforms will not be considered during the meeting. If you would like to participate during the meeting you MUST use Zoom.

If you are unable to join the meeting, written comments may be mailed to the Deputy City Clerk at City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to deputycityclerk@san-juan-bautista.ca.us not later than 11:00 a.m. on January 17, 2023, and will be read into the record during public comment on the item.

In compliance with the Americans with Disabilities Act, the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the Deputy City Clerk a minimum of 48 hours prior to the meeting at (831) 623-4661.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

A Closed Session may be called during this meeting pursuant to Government Code §54956.9 (d)(2) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to all items on this agenda are available in the agenda packet on the City website www.san-juan-bautista.ca.us subject to Staff's ability to post the documents before the meeting, or by emailing deputycityclerk@san-juan-bautista.ca.us or calling the Deputy Clerk (831) 623-4661 during normal business hours.

1. Call to Order
 - Pledge of Allegiance
 - Roll Call
2. Public Comment – Only on Items on the Agenda
3. Action Items
 - A. Adopt Resolution 2023-XX of the City Manager Declaring a State of Emergency and Resolution of the City Council of the City of San Juan Bautista, Ratifying the Proclamation of the Existence of a State of Emergency.
 - B. Approve the Affidavit of Posting Agenda
4. Adjournment

RESOLUTION 2023-XX

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA
RATIFYING THE PROCLAMATION OF THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, on January 4th, 2023, California Governor Newsom proclaimed a state of emergency due to the atmospheric river that has brought (and continues to bring) excessive amounts of precipitation to the State, to support the ongoing response to the recent winter storms; and

WHEREAS, on January 11, 2023, San Benito County also declared a state of emergency to support ongoing response its efforts to the winter storms throughout San Benito County; and

WHEREAS, the San Juan Bautista Municipal Code Section 5-33-040 empowers the City Manager to proclaim the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days; and

WHEREAS, on January 12, 2023, the City Manager acting as the Director of Emergency Services (Municipal Code 5-33-030) proclaimed a state of emergency (attached hereto as **Exhibit A** and by this reference made a part hereof) in San Juan Bautista, to facilitate the City's response to the local state of emergency caused by the excessive winter storms; and

WHEREAS, conditions of disaster or extreme peril to the safety of persons and property have arisen within the City and continue to be threatened by additional forecasts of rain, beginning December 31st, 2022, continuing to the issuance of the Proclamation by the City Manager on January 12, 2023, at which time the City Council of the City of San Juan Bautista was not in session.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the issuance of the proclamation of the existence of a local emergency which now exists throughout the City of San Juan Bautista.

IT IS FURTHER RESOLVED AND ORDERED that during the existence of said local emergency, organization of this City shall be prescribed in the Municipal Code Chapter 5-33, by Ordinances and Resolutions of the City, and approved by the City Council.

IT IS FURTHER RESOLVED AND ORDERED that the City Council of the City of San Juan Bautista hereby ratifies the Proclamation issued by the City Manager on January 12, 2023, aid the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of San Juan Bautista, State of California.

THE FOREGOING RESOLUTION WAS ADOPTED at a special meeting of the San Juan Bautista City Council held on the 17th day of January 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Leslie Q. Jordan, Mayor

ATTEST:

Elizabeth Soto, Deputy City Clerk

**PROCLAMATION OF A LOCAL EMERGENCY BY THE
CITY OF SAN JUAN BAUTISTA CITY MANAGER RELATED TO WINTER STORM ACTIVITY,
HIGH WINDS, EXCESSIVE PRECIPITATION, AND URBAN FLOODING**

WHEREAS, Section 5-33.040 of Chapter 5-33 entitled "Powers and Duties of the Director of Emergency Services" of the San Juan Bautista Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by the existence of conditions of disaster or of extreme peril to persons and property within the City, including, but not limited to, those caused by flooding or storm conditions, and the City Council is not in session; and

WHEREAS, section 5-33-03 of the San Juan Bautista Municipal Code designates the City Manager to be the Director of Emergency Services; and

WHEREAS, the City Manager as the Director of Emergency Services of the City of San Juan Bautista hereby finds that:

1. The severe winter storm activity, high winds and excessive precipitation throughout the State of California, the County of San Benito and the City of San Juan Bautista have created and continue to create situations of extreme peril to the safety of person and property within the City; and
2. On January 4, 2023, to support the ongoing response to the recent winter storm activity, Governor Newsom proclaimed a state of emergency due to the atmospheric rivers that have brought and continue to bring excessive amounts of precipitation to the State; and
3. On January 11, 2023, the San Benito County declared a state of emergency to support its ongoing response in its efforts to address the effect of winter storms throughout the County; and
4. Conditions of extreme peril to the safety of persons and property have arisen within the City caused by storm activity and excessive precipitation including high winds, wind gusts, falling debris, downed trees, power outages, and urban flooding. There presently exists a local emergency, as further addressed in Governor Newsom's Proclamation of a State of Emergency dated January 4, 2023; and
5. The efforts required to prepare for, respond to, mitigate and recover from the winter storm activity and excessive precipitation have imposed, and will continue to impose, extraordinary requirements and expenses on the City, requiring diversion of resources from day-to-day operations; and
6. In addition to the above facts, conditions or threatened conditions caused by winter storm activity and excessive precipitation, commercial, private and public property are imperiled as are the City's residents, employees, and public safety workers, and same give rise to conditions of extreme peril to the safety of persons and property within the City; and
7. These conditions are, or are likely to be, beyond the control of the services, personnel, equipment and facilities of the City of San Juan Bautista; and
8. The City Council of the City of San Juan Bautista is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, that a Local Emergency now exists throughout the City.

BE IT FURTHER PROCLAIMED AND ORDERED that during the existence of said Local Emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, existing ordinances and resolutions, the City's Emergency Plan, as well as this resolution and any subsequent emergency orders of the City Council in order to mitigate the effects of the Local Emergency.

BE IT FURTHER PROCLAIMED AND ORDERED, pursuant to the California Government Code, during the period of this emergency the following procedures and formalities otherwise required of the City by ordinance or other local regulation shall be waived, where strict compliance would hinder or delay the mitigation effects of the emergency:

1. Entering into contracts;
2. Incurring obligations;
3. Employment of permanent and temporary workers;
4. Utilization of volunteer workers;
5. Appropriation and expenditure of public funds; and
6. Waiver of findings of a public purpose in support of the expenditure of public funds when in the public interest.

IT IS FURTHER PROCLAIMED AND ORDERED that said Local Emergency shall be deemed to continue to exist for the next seven (7) days during which period the City Council shall take action regarding ratification of this Proclamation and thereafter until its termination is proclaimed by action of the City Council of the City.

1.12.23 4:30 pm
Date and Time



Don Reynolds, City Manager and
Director of Emergency Services

AFFIDAVIT OF POSTING

I, ELIZABETH SOTO, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK / ADMINISTRATIVE SERVICES MANAGER FOR THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 13TH DAY OF JANUARY 2023, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA, ON THE 13TH DAY OF JANUARY 2023.



ELIZABETH SOTO
DEPUTY CITY CLERK/ADMINISTRATIVE SERVICES MANAGER